

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRITZ GERALD TOUSSAINT,

Plaintiff,

-against-

PATROLMAN RIVERA and NYC HEALTH  
+ HOSPITALS,

Defendants.

22-cv-2689 (ALC)

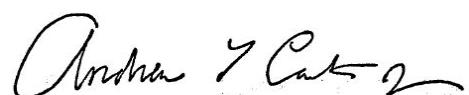
Order of Dismissal

**ANDREW L. CARTER, JR., United States District Judge:**

On October 6, 2022, the Court ordered Plaintiff to show cause by November 7, 2022 as to why this action should not be dismissed without prejudice for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). (ECF No. 8.) To date, Plaintiff has not responded to the Court's order and has failed to update his address. Accordingly, this case is dismissed without prejudice for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) ("[I]t is unquestioned that Rule 41(b) also gives the district court authority to dismiss a plaintiff's case *sua sponte* for failure to prosecute . . .").

**SO ORDERED.**

Dated: May 22, 2023  
New York, New York



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ANDREW L. CARTER, JR.  
United States District Judge